

GOVERNMENT OF TELANGANA  
ABSTRACT

Public Services -Scheduled Castes Development Department -Sri G. N.Prabhakar, formerly District Social Welfare Officer, Nizamabad and reverted and retired as Assistant Social Welfare Officer, Nizamabad and expired on 2.11.2012 - Further action abated - Orders - Issued.

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**SCHEDULED CASTES DEVELOPMENT (SER.A2)DEPARTMENT**

G.O.RT.No. 127.

Dated:**09-03-2015**

Read the following:-

1. From the Commissioner of Social Welfare, A.P, Hyderabad Lr. Rc. No. A1/3356/2005, dt. 6.7.2013.
2. Govt. Memo No. 7155/SW.Ser.III.1/2013-3,dt. 20.3.2014.
3. From the Commissioner, SW,A.P, Hyderabad, Lr.Rc. No. A1/ 3356/2005-2, dt. 8.5.2014.
4. Representation of Smt G.Laxmidevamma W/o late Sri G.N.Prabhakar dt. 4.8.2014.

**ORDER:**

Whereas, in the reference 1<sup>st</sup> read above the Commissioner of Social Welfare, A.P, Hyderabad has informed that a C.C.No.74/1995 was filed before the Hon'ble IX Metropolitan Magistrate, Hyderabad by the State represented through Inspector of Police, C.I.D., Special Teams, Hyderabad in a fake Gazette (Departmental Examinations conducted by the A.P.P.S.C.) case against (35) accused officers of different departments of Government of A.P. and Sri G.N. Prabhakar, retired A.S.W.O. of Social Welfare Department is also one among them. The Commissioner, Social Welfare, A.P, Hyderabad has further stated that the Hon'ble IX Metropolitan Magistrate, Hyderabad has issued final orders on 20.12.2004 in C.C.No.74/1995 stating that "IN THE RESULT, A-1 to A-35 (except A-3, A-12, A-20 & A-25) are found not guilty for the offences U/Secs. 468, 471 and 420 r/w 120-B IPC, and acquitted u/s. 248(1) of Cr.P.C. Their bail bonds, if any, shall stand cancelled".

2. The Commissioner, Social Welfare, A.P, Hyderabad has further stated that, the Inspector of Police, CID, GOW, Hyderabad in his letter C.No.930/C12/CID/93, dated 03.03.2006 has informed that the case in Cr.No.33/93, U/s 468, 471, 420 R/w 120 (B) IPC of CID PS was acquitted vide CC No.74/95 against K.Janardhan & 33 others including Sri G.N.Prahakar, District Social Welfare Officer by the IX Metropolitan Magistrate, Hyderabad. He has further informed that in this case, appeal has been preferred in the Hon'ble High Court of A.P. vide Crl.A.S.R. No.18594/2005, dated 24.10.2005 and the appeal is in admission stage.

3. The Commissioner, Social Welfare, A.P, Hyderabad has also stated that Smt. G.Laxmidevamma, W/o Late Sri G.N.Prabhakar, District Social Welfare Officer, Nizamabad (Reverted & Retired as ASWO, Nizamabad) has informed that her husband expired on 02.11.2012 and requested to drop disciplinary action ordered against her husband and release pensionary benefits.

4. The Commissioner, Social Welfare, A.P, Hyderabad has further stated that the Additional Director General of Police, CID, A.P., Hyderabad in the Lr.C.No.1930/C16 /C34 /CID /1997, Dated 22.05.2013 has informed that the appeal filed vide Crl.A (SR) No.18594 of 2005 in the Hon'ble High Court of A.P., Hyderabad against the orders of the Hon'ble IX Metropolitan Magistrate, Hyderabad dated 20.12.2004 in C.C.No.74/1995 was allowed and notices were issued to the accused, the served notices were returned to the High Court of A.P. and now the appeal is pending for admission stage vide CRLA No.796 of 2008, dated 08.07.2008 in the Hon'ble High Court of A.P., Hyderabad. The Commissioner, Social Welfare, A.P, Hyderabad has requested the Government to take necessary action on the representation of Smt G. Laxmidevamma, W/o Late Sri G.N.Prabhakar, District Social Welfare Officer, Nizamabad (Reverted & Retired

as ASWO, Nizamabad) at Government level, as the Government is the competent authority to issue orders in the matter.

5. In the reference 2<sup>nd</sup> read above, the Commissioner, Social Welfare was requested to furnish the details/present stage of the appeal case and further requested to inform whether any Government amount has been misappropriated by the Charged Officer and also requested to state whether any other disciplinary cases are pending against the individual.

6. In the reference 3<sup>rd</sup> read above, the Commissioner, Social Welfare, A.P., Hyderabad has stated that no Government amount has been misappropriated by the charged officer in this case and no other disciplinary cases are pending against Sri G.N.Prabhakar, District Social Welfare Officer, Nizamabad (reverted and retired as ASWO) and expired on 02.11.2012 as on date. Further Commissioner, Hyderabad in her letter dt.3.7.2014 has stated that the appeal is pending before the Hon'ble High Court vice CRLA No. 796/2008 and the case was last listed on 1.4.2014 and requested the Government for taking further necessary in the matter.

7. In the reference 4<sup>th</sup> read above, Smt G. Laxmidevamma W/o late G.N.Prabhakar has requested the Government to abate further disciplinary action and release pensionary benefits as her husband was expired on 2.11.2012.

8. Government after careful examination of the entire matter in detail, have observed that the Hon'ble Supreme Court in the Collector of Customs, Bombay Vs. Krishna Sales (P) Ltd., (AIR 1994 SC 1239) held that "mere filing of an appeal in Appellate Courts do not bar from implementation of lower court orders, unless, the same is stayed by the higher courts. In the instant case, an appeal is filed and it is in admission stage.

9. In view of the above, Government have decided to abate further course of action against late Sri G. N. Prabhakar, District Social Welfare Officer, Nizamabad and reverted and retired as Assistant Social Welfare Officer, Nizamabad and expired on 2.11.2012 in terms of G.O.Rt.No.1097, Finance & Plg (FW.Pen.I) Department dated 22.6.2000 and to release all the pensionary benefits to the wife of the deceased Government employee, subject to outcome of pending appeal before the Hon'ble High Court vice CRLA No. 796/2008.

10. Accordingly, Government hereby drop further course of action against late Sri G. N. Prabhakar, District Social Welfare Officer, Nizamabad and reverted and retired as Assistant Social Welfare Officer, Nizamabad as action abate due to death of the employee on 2.11.2012 in terms of G.O.Rt.No.1097, Finance & Plg (FW.Pen.I) Department dated 22.6.2000 and to release all the pensionary benefits to the wife of the deceased Government employee, subject to outcome of pending appeal before the Hon'ble High Court vice CRLA No. 796/2008.

11. The Director, SCD, TS, Hyderabad is requested to take necessary further action accordingly and furnish compliance report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J.RAYMOND PETER  
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

The Director, SCD, TS, Hyderabad

The Legal heirs of the deceased employee  
(through the Director, SCD, TS, Hyderabad)

Copy to:

The Accountant General, Telangana, Hyderabad  
The DTA, Telangana, Hyderabad.

PS to Special Secretary to C.M. (BR)

PS to Principal Secretary to Government (FAC),SCDD

SF/SC

// FORWARDED::: BY ORDER //

SECTION OFFICER